

RECEIVED  
CENTRAL FAX CENTER

JAN 27 2006

BRINKLEY, McNERNEY, MORGAN, SOLOMON &amp; TATUM, LLP

Attorneys at Law  
200 East Las Olas Boulevard  
Suite 1900  
Fort Lauderdale, FL 33301Telephone 954-522-2200  
Facsimile 954-522-9123FACSIMILE TRANSMISSION COVER SHEET

PLEASE DELIVER TO:

NAME: Examiner Pia Florence Tibbits/Art Unit 2838

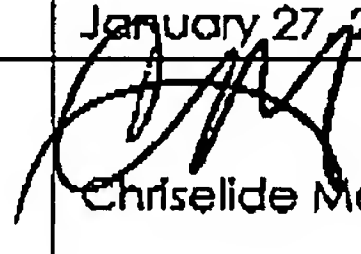
FAX TELEPHONE NO. 571.273.8300

MESSAGE SENT BY: Daniel C. Crilly, Esq.

DATE: January 27, 2006

PAGES: (including cover).....9

MESSAGE: Please see attached Transmittal Form (1 page) and Response to Notice of Non-Compliant Amendment (7 pages) in connection with U.S. Appl. Serial No. 10/604,703. Thank you.

| CERTIFICATE OF FAX TRANSMITTAL   |   |
|--|---|
| I hereby certify that this correspondence is being facsimile to the United States Patent and Trademark Office, at (571) 273-8300 Centralized Facsimile, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date listed below: |   |
| Date:  | January 27, 2006  |
| Signature:   |  |
| Typed or Printed Name:   | Chriselide Mendez   |

**IF THERE ARE ANY PROBLEMS WITH THE RECEIPT OF THIS TRANSMITTAL,  
PLEASE CALL 954-522-2200 AS SOON AS POSSIBLE.**

The information contained in this facsimile is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

JAN 27 2006

PTO/SB/21 (09-04)

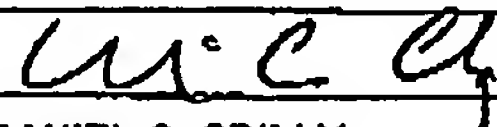
Approved for use through 07/31/2006. OMB 0651-0031

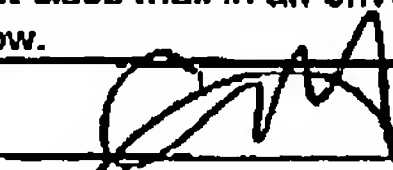
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                      |                        |              |
|---|----------------------|------------------------|--------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/604,703             |              |
|   | Filing Date          | August 11, 2003        |              |
|   | First Named Inventor | David Elder            |              |
|   | Art Unit             | 2838                   |              |
|   | Examiner Name        | Pia F. Tibbits         |              |
| Total Number of Pages in This Submission  | 9                    | Attorney Docket Number | 013476-05187 |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or<br>1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Response to Notice of Non-Compliant<br>Amendment |
| Remarks   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm Name                                  | BRINKLEY, MCNERNEY, MORGAN, SOLOMON & TATUM, LLP                                    |          |        |
| Signature                                  |  |          |        |
| Printed Name                               | DANIEL C. CRILLY  |          |        |
| Date                                       | January 27, 2006  | Reg. No. | 38,417 |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |      |                  |
|---|---|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |      |                  |
| Signature   |  |      |                  |
| Typed or printed name   | Chiselide Mendez  | Date | January 27, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 27 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date: January 27, 2006

|                         |            |   |      |
|-------------------------|------------|---|------|
| Application Serial No.: | 10/604,703 | Confirmation No.:   | 1702 |
| Applicant               | :          | Elder et al.  |      |
| Filed                   | :          | August 11, 2003   |      |
| Title                   | :          | Multiple Battery System and Auxiliary Battery Attachment System |      |
| TC/A.U.                 | :          | 2838  |      |
| Examiner                | :          | Pia Florence Tibbits  |      |
| Docket No.              | :          | 013476-05187  |      |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. § 1.121)**

Sir:

Responsive to a Notice of Non-Compliant Amendment dated January 25, 2006 as entered in the above-captioned matter, Applicants hereby respectfully submit the following response containing a corrected claims section, which was indicated by the Examiner as being non-compliant.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.